

CASE # 2005-38
RESOLUTION NUMBER 5-1

**DENYING A REZONING
FOR CERTAIN PROPERTY LOCATED AT
3111 & 3113 SOUTH 13TH STREET
SANGAMON COUNTY, ILLINOIS**

WHEREAS, the Zoning Board of Appeals has presented to the Sangamon County Board, Sangamon County, Illinois, its Findings of Fact and Recommendation that the Sangamon County Board **deny an amendment** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

Lots 5 & 6 Block 11, Town of Mildred

WHEREAS, the Petitioners, **Diane Whittenburg & Kenneth Harbour**, have petitioned the Sangamon County Board for a **rezoning from "R-2" Single & Two Family Residence District to "RM-4" Manufactured Home District**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **June 16, 2005**, after proper notice was posted on said property and given by news publication, as is required by said Ordinance, and all procedural and jurisdictional requirements of the Sangamon County Zoning Ordinance have been met; and

WHEREAS, the Sangamon County Zoning Board of Appeals has presented to the Sangamon County Board of Sangamon County its Findings of Fact and Recommendation that the Sangamon County Board **deny the rezoning**; and

WHEREAS, the Sangamon County Board does hereby adopt the recommendation of the Sangamon County Zoning Board of Appeals.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 12th day of July, 2005 that the request to rezone the above referenced property from "R-2" Single & Two Family Residence District to "RM-4" Manufactured Home District is hereby denied.

Signed and passed by the Sangamon County Board in session on this 12th day of July, 2005.

Respectfully submitted,

PUBLIC HEALTH, SAFETY & ZONING
COMMITTEE OF THE SANGAMON COUNTY BOARD

DAN VAUGHN, CHAIRMAN

ABE FORSYTH
William E. Moss

BILL MOSS

TYRONE PACE

TIM MOORE

DON STEPHENS

ATTEST:

Joe Aiello

SANGAMON COUNTY CLERK

A. Van Meter

COUNTY BOARD CHAIRMAN

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: # 21 NAME: **Clyde Bunch**

DOCKET NUMBER: **2005-38**

ADDRESS: **3111 & 3113 So. 13th St., Springfield, IL. 62703**

PETITIONER: **Diane Whittenburg & Kenneth Harbour**

PRESENT ZONING CLASSIFICATION: **"R-2" Single & Two Family Residence District**

REQUESTED ZONING CLASSIFICATION: **"RM-4" Manufactured Home District**

AREA: **.31 acre**

COMMENTS: **none**

OBJECTORS: **yes**

PLANNING COMMISSION RECOMMENDATION: **Denial. This would be spot zoning**

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION: **Denial**



RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS
SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:) DOCKET NO: 2005-38
Diane Whittenburg & Kenneth Harbour)
)
) PROPERTY LOCATED AT:
) 3111 & 3113 So. 13th St.
) Springfield, IL. 62703
)

RECOMMENDATION OF THE BOARD OF APPEALS

THIS MATTER, Coming on for a hearing before the Sangamon County Zoning Board of Appeals of Sangamon County, Illinois, and it appearing to said Board that a petition for an **amendment** of the Zoning Regulations of said County has been filed herein by the above captioned petitioner (s); that legal publication has been made pursuant to law; and that a public hearing was held on **June 16, 2005** pursuant to law; and that said Board took testimony of witnesses, examined the evidence, and otherwise being fully advised in the premises, therefore finds as follows:

1. That said Board has jurisdiction to consider the petition filed herein.
2. That the above-captioned petitioner(s) is the owner(s) and/or has a beneficial interest in or contract to purchase the property commonly known as **3111 & 3113 So. 13th St., Springfield, Illinois 62703** and more particularly described as:

Lots 5 & 6 Block 11, Town of Mildred

- 3. That the present zoning of said property is **“R-2” Single & Two Family Residence District.**
- 4. That the present land use of said property is **a Single Family Residence and garage.**
- 5. That the proposed land use of said property is **a Manufactured Home.**
- 6. That the requested **rezoning** of said property is: **from “R-2” Single & Two Family Residence District to “RM-4” Manufactured Home District.**
- 7. That required findings and standards of the Sangamon County Board of Appeals are accurately stated on the attached exhibit (s).
- 8. The evidence adduced at the hearing **does not** support the proposition that the adoption of the proposed **rezoning** is in the public interest and is not solely in the interest of the petitioner (s).

IT IS, THEREFORE, the recommendation of the Sangamon County Zoning Board of Appeals to the County Board of Sangamon County that the requested **rezoning** be **denied.**

CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member **Donn Malwick** to concur with the findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the petition be **denied**, which was duly seconded by **Marvin Traylor.**

The vote of the Board was as follows:

YES: **Charles Chimento, Donn Malwick, John Goleman & Marvin Traylor**

NO: **Patrick Somers**

ABSENT:

RECORDING SECRETARY

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CASE #: 2005-39
 INDEX #: 22-10-481-006
 DATE: 5-27-05
 INSPECTED BY: DK LW

ZONING AMENDMENT CHECK LIST

PETITIONER: Akers, Linda
 ADDRESS: 3014 Woodward Street TWP. 15N RANGE 5 W SEC. 10 ¼ SEC. SE
 (OR NEAREST IDENTIFIABLE ROAD) TWP. _____ RANGE _____ W SEC. _____ ¼ SEC. _____
 CITY OR VILLAGE OR NEAREST ONE: Springfield

EXISTING ZONING: R-2 with a Use Variance for an office in the garage PROPOSED ZONING: B-2

LAND AREA: .38 acre ROAD FRONTAGE: 100 Lineal Ft. ROAD COND: Good

EXISTING LAND USE: Single Family Residence with Office in the Detached Garage
 PROPOSED LAND USE: Single Family Residence with Retail Sales in the Garage

TYPE OF STRUCTURE: Single Family Residence CONDITION OF STRUCTURE: Good

EXISTING YARDS: Front -- ft. Side -- ft. Rear -- ft.

SPOT ZONING: X
 Yes No

- NEARBY LAND USE:
- a. To North Single Family Residences
 - b. To South Single Family Residences
 - c. To East Mobile Home, Single Family Residences
 - d. To West Single Family Residences

OTHER COMMENTS:

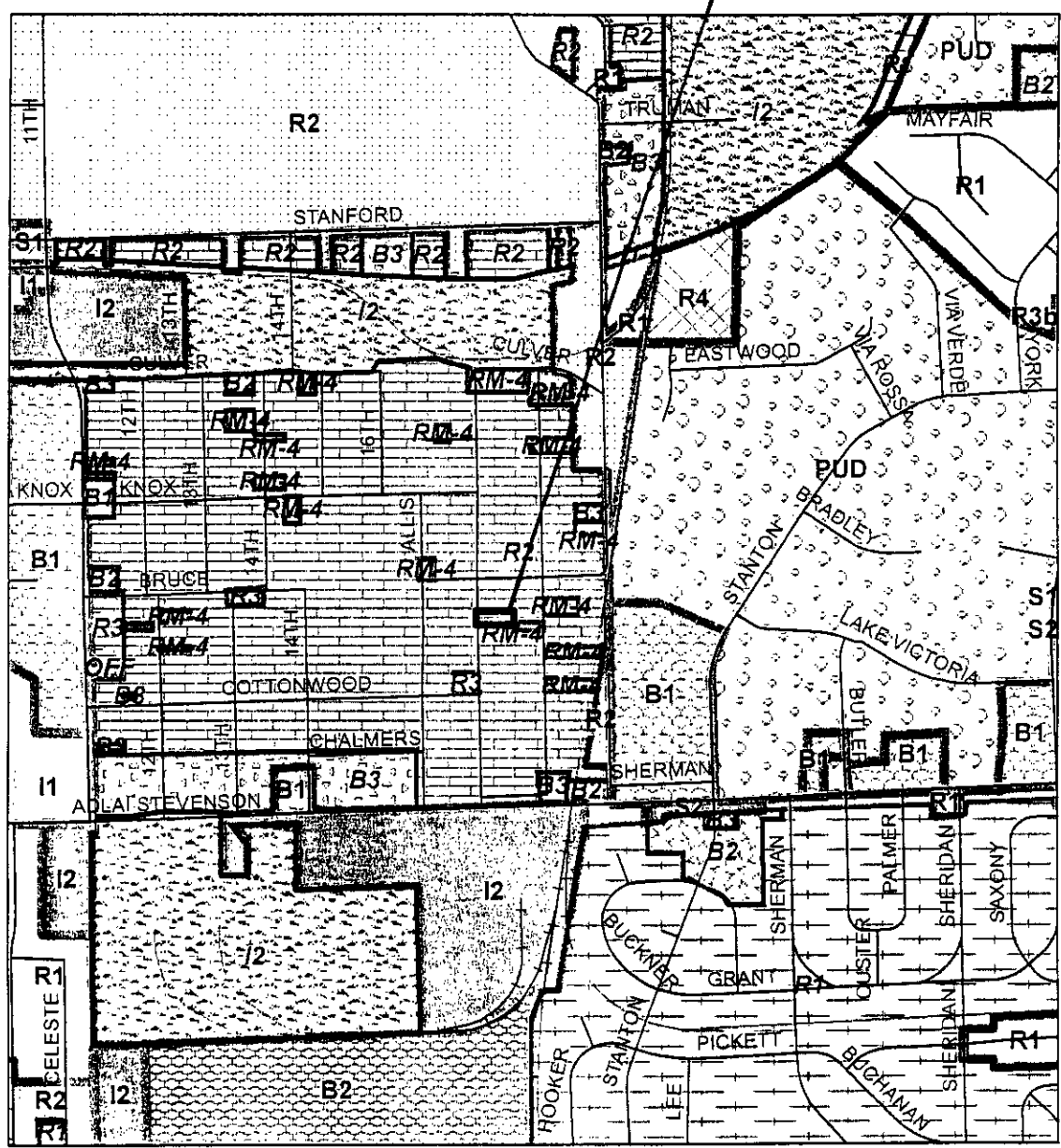
Staff Estimate of the Effect of the Amendment on the Area		None	Slight	Mod.	Great
CONTRASTS: CURRENT VS. PROPOSED	land use				X
	appearance				X
	height				X
	parking spaces			X	
PROBLEMS FORESEEN	drainage	X			
	sewer	X			
	traffic flow	X			
WILL USE INCREASE	pop. density	X			
	dwellings, density	X			
	school pop.	X			
	traffic volume			X	



RECOMMENDATIONS: **Recommend denial. Commercial zoning would not be appropriate in this residential area.**

County Zoning

Case# 2005-039

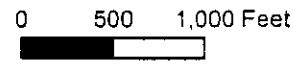


County Zoning

City Zoning

	RM-4		I1
	R3		I2
	R2		B3
	R1a		B2
	R1		B1
	OFF		A

	R5		H1		OFF
	R1		H2		PUD
	R2		H3		B1
	R3a		S1		B2
	R3b		S2		I1
	R4		S3		I2



N
↑

Trivadis
Engineering County Region
Inc.